HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.4495 OF 2006

Dated:18.09.2006

P.Krishnaveni

…Petitioner

The Station House Officer,
Machavaram Police Station,
Machavaram, Krishna District
and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

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ORDER: ***(per the Hon'ble Sri Justice P.Swaroop Reddy)***

This writ petition is taken up on the basis of a telegram, dated 02.03.2006 sent to this Court by one P.Krishnaveni, R/o Mogalrajupuram, Vijayawada, alleging that on 02.03.2006, her father by name Sajja Brahmeswara Rao and her brother by name Nagaraju, residents of D1 Classic Towers, Ratnamamba Veedhi, Mogalrajupuram, Vijayawada, were taken away by Machavaram Police and are being harassed asking them to vacate their flat.

2. On receipt of notice, the first respondent-Sub-

Inspector of Police, Machavaram Police Station, Vijayawada, filed counter-affidavit stating that the alleged detenus were never taken into custody as they are not required in any case pending on the file of their Police Station; that only the first alleged detenu was called to the Police Station for the purpose of investigation and an additional counter-affidavit is filed by the Detective Sub-Inspector of Police, Machavaram Police Station, stating that the alleged first detenu filed a civil case in O.S.No.972 of 2006 on the file of Principal Junior Civil Judge, Vijayawada, against one Vijayalakshmi and the same is pending, as such the case in Crime No.114 of 2006 of Machavaram Police Station is closed as 'Non-cognizable(Civil matter)'.

3. Considering all these circumstances and also the fact that the matter pertains to civil disputes between the alleged detenus and one Vijayalakshmi, and that the alleged detenus were never illegally detained by the Police, we do not find any merit in this writ petition to proceed further and pass orders.

4. The writ petition fails and is, accordingly, closed, at the stage of admission.

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D.S.R.VARMA, J

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P.SWAROOP REDDY, J

18.09.2006
DR